IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

MISCELLANEOUS CIVIL APPLICATION NO.60 OF 2007

Mr.Prasad Pandurang Padiyar ..Applicant.
v.
Smt. Sheetal Prasad Padiyar ..Respondent.

Mr.J.S.Kini h/for Suresh Dubey, advs. for the applicant.
Mr.S.H.Joshi, adv. for the respondent.

WITH
MISCELLANEOUS CIVIL APPLICATION NO.104 OF 2007

Smt. Sheetal Prasad Padiyar ..Applicant.
v.
Mr. Prasad Pandurang Padiyar ..Respondent.

Mr.S.H.Joshi, adv. for the Applicant.
Mr.J.S.Kini h/for Suresh Dubey, advs. for the Respondent.

CORAM: J.H.BHATIA,J.
DATE: 4th December,2007.

P.C.

1. Husband has filed Marriage Petition No. 1792-A of 2005 for annulment of marriage and divorce on the ground of cruelty and that is pending before the Family Court No.7 at Bandra. Wife has also filed Marriage Petition No.536 of 2006 for divorce in the Court of Civil Judge Senior Division, Kalyan. Husband has filed application no.60 of 2007 for transfer of the Marriage Petition No.536 of 2006 from Kalyan to Bandra while the wife has filed application no.104 of 2007 for transfer of marriage petition no. 1792-A of 2005 from Family Court, Bandra to Civil Judge Senior Division, Kalyan.

2. The learned counsel for the husband makes a statement that the husband will make appropriate amendment and will not press the prayer for annulment of marriage. In view of this, both the matters will have to be heard together by the same Court. It is pointed out by the learned counsel for the husband that in the Court of Civil Judge Senior Division, Kalyan there is no post of marriage counsellor while this facility is available in Bandra and, therefore, it will be possible to have amicable settlement with the help of marriage counsellor at Bandra. After some discussion counsel for both the parties agree that the matters should be heard by Family Court, Bandra. In view of this Marriage Petition No.536 of 2006 is hereby transferred to Family Court, Bandra for hearing alongwith the Marriage Petition No.1792-A of 2005. With these directions, both the applications stand disposed off.

(J.H.BHATIA,J.)